

REMARKS

Claims 1-7, 9-15, 17, 18, 20-30 and 32-37 were pending.

Claims 1-7, 9-15, 17, 18, 24-30 and 32-37 are cancelled.

Claim 20 is amended.

Claims 21-23 are as previously presented.

Claim 38 is new.

The application now contains claims 20-23 and 38.

Claim 20 is amended to delete from the definition of component B) the phrase according to claim 1 and to insert in its stead the limitations from original claim 1, claim 4 and claim 5 which together define the cationic polymer of B). Support is found in the claims as previously presented.

Support for claim 38 is found on page 2, lines 7 and 8 of the Specification.

In order to focus on certain features of the instant invention, claims 1-7, 9-15, 17, 18, 24-30 and 32-37 are cancelled pending the filing of continuation applications.

No new matter has been added.

Claim Rejections – 35 USC 103(a)

Claims 1-7, 9-15, 17-18, 24-30 and 32-37 are rejected under 35 USC 103(a) as being unpatentable over US 5,807,489.

Claims 1-7, 9-15, 17-18, 24-30 and 32-37 are cancelled.

Claims 1-7, 9-15, 17-18, 20-30 and 32-37 are rejected under 35 USC 103(a) as being unpatentable over Research Disclosure 429116.

Applicants respectfully traverse the rejections.

The cited reference discloses crosslinked cationic polymers comprising 30-100% of one or more cationic monomers and 0-30% of nonionic monomers polymerized in the presence of 60-3000 ppm of cross linking agent and 10-2000 ppm of chain transfer agent. A generic reference to use in fabric softener is also disclosed.

Applicants respectfully note that Research Disclosure 429116 does not disclose any fabric softener formulations, in particular, no amounts of polymers in the formulations are disclosed. Instant claims 20-23 are to fabric softeners comprising:

- A) 0.5 to 50 wt-%, based on the total weight of the composition, of cationic quaternary ammonium salts; tertiary fatty amines having at least one C₈-C₃₀alkyl chains, carboxylic acids having 8 to 30 carbons atoms and one carboxylic group per molecule; esters of polyhydric alcohols; fatty alcohols; ethoxylated fatty alcohols; alkyphenols; ethoxylated alkyphenols; ethoxylated fatty amines; ethoxylated monoglycerides; ethoxylated diglycerides; mineral oils and/or polyols; and
- B) 0.005 to 15 wt-% based on the total weight of the composition, of the cationic polymer formed from a blend of a cationic monomer and non-ionic monomer.

Applicants respectfully submit that Research Disclosure 429116 does little more than suggest in passing that certain cationic polymers can be used in fabric softeners and provides no guidance on how to formulate such a composition or what amounts and what ratios of components would be necessary for activity. The instant application fully describes and enables such compositions.

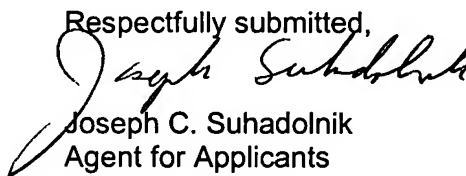
Applicants therefore respectfully suggest that the rejections of claims 20-23 are addressed and are overcome and kindly ask that the rejections be withdrawn and the claims 20-23 found allowable.

Applicants further respectfully request that new claim 38, a more narrow claim than claim 20, also be found allowable as there is no mention in the cited art of a fabric softener comprising the instant polymers with a particle size of less than 10 microns when added to the formulation.

In the event that minor amendments will further prosecution, Applicants request that the examiner contact the undersigned representative.

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Respectfully submitted,

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